

★ AUG 9 - 2017 ★

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

BROOKLYN OFFICE


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TRUSTEES OF THE PAVERS AND ROAD BUILDERS	:	
DISTRICT COUNCIL WELFARE, PENSION, ANNUITY	:	16-CV-2938 (ARR) (RER)
AND APPRENTICESHIP, SKILL IMPROVEMENT AND	:	
SAFETY FUNDS and THE HIGHWAY, ROAD AND	:	
STREET CONSTRUCTION LABORERS LOCAL UNION	:	
1010	:	<u>ORDER</u>
	:	
Plaintiffs,	:	
-against-	:	
	:	
D. GANGI CONTRACTING CORP. and ENDURANCE	:	
AMERICAN INSURANCE COMPANY	:	
	:	
Defendants.	:	
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ROSS, United States District Judge:

The court has received the Report and Recommendation on the instant case dated May 12, 2017 from the Honorable Ramon E. Reyes, Jr., United States Magistrate Judge. ECF No. 30. The deadline for filing objections has passed, see id. at 7; Aff. of Service, ECF No. 31, and no objections have been filed. Accordingly, the court has reviewed the Report and Recommendation for clear error on the face of the record. See Advisory Comm. Notes to Fed. R. Civ. P. 72(b); accord Brissett v. Manhattan & Bronx Surface Transit Operating Auth., No. 09-CV-874, 2011 WL 1930682, at *1 (E.D.N.Y. May 19, 2011). Having reviewed the record, I find no clear error. I hereby adopt the Report and Recommendation in its entirety as the opinion of the Court pursuant to 28 U.S.C. § 636(b)(1).

Accordingly, plaintiffs' motion for default judgment against defendant D. Gangi Contracting Corp. is granted. The clerk of court is directed to enter judgment against D. Gangi Contracting Corp. in the amount of \$135,888.48, representing: (1) \$91,681.28 in total unpaid contributions; (2) \$6,273.86 in total unpaid dues check-offs and other contributions;

(3) \$1,799.40 in late payment interest; (4) \$15,153.54 in interest on unpaid contributions; (5) \$18,336.12 in liquidated damages; and (6) \$2,644.28 in attorney's fees and costs.


/s/(ARR)

Allyne R. Ross
United States District Judge

Dated: August 8, 2017
Brooklyn, New York